

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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SHEILA HACKERT, Individually, and as  
Administratrix of the Goods, Chattels, and  
Credits of William P. Hackert, Jr., and Christine  
M. Hackert, Deceased; and JOHN ANTHONY  
HACKERT,

Plaintiffs,

1:03-CV-216

vs

FIRST ALERT, INC.; and BRK BRANDS, INC.,

Defendants.  
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APPEARANCES:

OF COUNSEL:

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DAVID N. HURD  
United States District Judge

**ORDER**

At trial in this matter plaintiffs intend to play the videotaped testimony of Nicholas Bellavia, Gary Lederer and Beth Weber. Plaintiffs have provided transcripts of the testimony and the defendants have filed objections to portions of each deposition.

**A. Objections to Testimony of Nicholas Bellavia** (Docket No. 186.)

Defendants' objections to the testimony listed by letter at A, D, K and L are sustained. Defendants' objections as to the remainder of the testimony - listed at B, C, E, F, G, H, I, J, and M - are overruled.

**B. Objections to Testimony of Gary Lederer** (Docket No. 187.)

Defendants' objections to the testimony listed by letter at A, B, D through O, Q through W, Y, AA, BB, CC, FF, GG (pg. 36 lines 13 - 25), HH through MM, PP, QQ, RR, SS, UU, WW, XX, YY, ZZ, and AAA through HHH are sustained. Defendants' objections as to the remainder of the testimony - listed at C, P, X, Z, DD, EE, GG (pg. 36 lines 1-12), NN, OO, TT, and VV - are overruled. Defendants' objections to testimony in the Gary Lederer deposition on the ABC 20-20 show - lettered A through I - are overruled.

**C. Objections to Testimony of Beth Weber** (Docket No. 188.)

Defendants' objections to the testimony listed by letter at A, F, and G are sustained. Defendants' objections as to the remainder of the testimony - listed at B, C, D, E, H, I, J, K, L, M, N, O, P, Q, R, and S - are overruled.

Therefore, it is

ORDERED that

Defendants' objections are SUSTAINED, in part, and OVERRULED, in part, as set forth above.

IT IS SO ORDERED.



David N. Hurd  
District Judge

Dated: April 4, 2006  
Utica, New York.